

(2) To fulfill the purposes of this Act and the Wilderness Act and to achieve administrative efficiencies, the Secretary of Agriculture may manage the area designated by this Act as a comprehensive part of the larger complex of adjacent and nearby wilderness areas.

(b) NEW TRAILS.—

(1) The Secretary of Agriculture shall consult with interested parties and shall establish a trail plan for Forest Service lands in order to develop:

(a) a system of hiking and equestrian trails within the wilderness designated by this Act in a manner consistent with the Wilderness Act, Public Law 88-577 (16 U.S.C. 1131 et seq.); and

(b) a system of trails adjacent to or to provide access to the wilderness designated by this Act.

(2) Within two years after the date of enactment of this Act, the Secretary of Agriculture shall complete a report on the implementation of the trail plan required under this Act. This report shall include the identification of priority trail for development.

(c) REPEATER SITE.—Within the Wild Sky Wilderness, the Secretary of Agriculture is authorized to use helicopter access to construct and maintain a joint Forest Service and Snohomish County telecommunications repeater site, in compliance with a Forest Service approved communications site plan, for the purposes of improving communications for safety, health, and emergency services.

(d) FLOAT PLANE ACCESS.—As provided by section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the use of floatplanes on Lake Isabel, where such use has already become established, shall be permitted to continue subject to such reasonable restrictions as the Secretary of Agriculture determines to be desirable.

(e) EVERGREEN MOUNTAIN LOOKOUT.—The designation under this Act shall not preclude the operation and maintenance of the existing Evergreen Mountain Lookout in the same manner and degree in which the operation and maintenance of such lookout was occurring as of the date of enactment of this Act.

SEC. 4. AUTHORIZATION FOR LAND ACQUISITION.

(a) IN GENERAL.—The Secretary of Agriculture is authorized to acquire lands and interests therein, by purchase, donation, or exchange, and shall give priority consideration to those lands identified as "Priority Acquisition Lands" on the map described in section 2(a)(1). The boundaries of the Mt. Baker-Snoqualmie National Forest and the Wild Sky Wilderness shall be adjusted to encompass any lands acquired pursuant to this section.

(b) ACCESS.—Consistent with section 5(a) of the Wilderness Act (Public Law 88-577; 16 U.S.C. 1134(a)), the Secretary of Agriculture shall ensure adequate access to private inholdings within the Wild Sky Wilderness.

(c) APPRAISAL.—Valuation of private lands shall be determined without reference to any restrictions on access or use which arise out of designation as a wilderness area as a result of this Act.

SEC. 5. LAND EXCHANGES.

The Secretary of Agriculture shall exchange lands and interests in lands, as generally depicted on a map entitled Chelan County Public Utility District Exchange and dated May 22, 2002, with the Chelan County Public Utility District in accordance with the following provisions:

(1) If the Chelan County Public Utility District, within ninety days after the date of enactment of this Act, offers to the Secretary of Agriculture approximately 371.8 acres within the Mt. Baker-Snoqualmie National

Forest in the State of Washington, the Secretary shall accept such lands.

(2) Upon acceptance of title by the Secretary of Agriculture to such lands and interests therein, the Secretary of Agriculture shall convey to the Chelan County Public Utility District a permanent easement, including helicopter access, consistent with such levels as used as of date of enactment, to maintain an existing telemetry site to monitor snow pack on 1.82 acres on the Wenatchee National Forest in the State of Washington.

(3) The exchange directed by this Act shall be consummated if Chelan County Public Utility District conveys title acceptable to the Secretary and provided there is no hazardous material on the site, which is objectionable to the Secretary.

(4) In the event Chelan County Public Utility District determines there is no longer a need to maintain a telemetry site to monitor the snow pack for calculating expected runoff into the Lake Chelan hydroelectric project and the hydroelectric projects in the Columbia River Basin, the Secretary shall be notified in writing and the easement shall be extinguished and all rights conveyed by this exchange shall revert to the United States.

IDAHO PANHANDLE NATIONAL FOREST IMPROVEMENT ACT OF 2003

The Senate proceeded to consider the bill (S. 434) to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 434

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This Act may be cited as the "Idaho Panhandle National Forest Improvement Act of 2003".]

SEC. 2. DEFINITION OF SECRETARY.

[In this Act, the term "Secretary" means the Secretary of Agriculture.

SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.

[(a) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any or all right, title and interest of the United States in and to the following National Forest System land and improvements:

[(1) Granite/Reeder Bay, Priest Lake Parcel, T. 61 N., R. 4 E., B.M., sec. 17, S½NE¼ (80 acres, more or less).

[(2) North South Ski area, T. 43 N., R. 3 W., B.M., sec. 13, SE¼SE¼SW¼, S½SW¼SE¼, NE¼SW¼SE¼, and SW¼SE¼SE¼ (50 acres more or less).

[(3) Shoshone work camp (including easements for utilities), T. 50 N., R. 4 E., B.M., sec. 5, a portion of the S½SE¼.

[(b) DESCRIPTIONS.—The Secretary may modify the descriptions in subsection (a) to correct errors or to reconfigure the properties in order to facilitate a conveyance.

[(c) CONSIDERATION.—Consideration for a sale or exchange of land under subsection (a)—

[(1) shall be equal to the market value of the land; and

[(2) may include cash, improved or unimproved land, or land with improvements constitutes in accordance with specifications of the Secretary.

[(d) APPLICABLE LAW.—Except as otherwise provided in this Act, any sale or exchange of National Forest System land under subsection (a) shall be subject to the laws applicable to the conveyance and acquisition of land for the National Forest System.

[(e) VALUATION.—The market value of the land and the improvements to be sold, exchanged, or constructed under this Act shall be determined by an appraisal that is acceptable to the Secretary and conforms to the "Uniform Appraisal Standards for Federal Land Acquisitions".

[(f) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of land exchanged under subsection (a).

[(g) SOLICITATIONS OF OFFERS.—The Secretary may solicit offers for the sale or exchange of land under this section on such terms and conditions as the Secretary may prescribe. The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

[(h) METHODS OF SALE.—The Secretary may sell land under subsection (a) at public or private sale, including at auction, in accordance with such terms, conditions, and procedures as the Secretary determines to be in the best interests of the United States.

SEC. 4. DISPOSITION OF FUNDS.

[(a) DEPOSIT OF PROCEEDS.—The Secretary shall deposit the proceeds of a sale or exchange under section 3(a) in the fund established under Public Law 90-171 (16 U.S.C. 484a, commonly known as the "Sisk Act").

[(b) USE OF PROCEEDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further appropriation—

[(1) for the acquisition of, construction of, or rehabilitation of existing facilities for, a new ranger station in the Silver Valley portion of the Panhandle National Forest; or,

[(2) to the extent that the amount of funds deposited exceeds the amount needed for the purpose described in paragraph (1), for the acquisition, construction, or rehabilitation of other facilities in the Panhandle National Forest.

[(c) LIMITATIONS.—Proceeds from the sale or exchange of land under this Act shall not be paid or distributed to states or counties under any provision of law, or otherwise considered to be moneys from units of the National Forest System for the purposes of—

[(1) the Act of May 23, 1908 (16 U.S.C. 500);

[(2) the Act of March 1, 1911 (16 U.S.C. 500, commonly known as the "Weeks Law"); or

[(3) the Act of March 4, 1913 (16 U.S.C. 501).

[(d) DEPARTMENTAL REGULATIONS.—The Agriculture Property Management Regulations shall not apply to any disposition of National Forest System land under this Act or any other action taken under this Act.

[(e) MANAGEMENT OF LANDS ACQUIRED BY THE UNITED STATES.—Land transferred to or otherwise acquired by the Secretary under this Act shall be managed in accordance with the Act of March 1, 1911 (16 U.S.C. 480 et seq., commonly known as the "Weeks Law") and other laws relating to the National Forest System.

[(f) WITHDRAWAL AND REVOCATIONS.—

[(1) PUBLIC LAND ORDERS.—As of the date of this Act, any public land order withdrawing land described in section 3(a) from all forms of appropriation under the public land laws is revoked with respect to any portion of the land conveyed by the Secretary under this section.

[(2) WITHDRAWAL.—Subject to valid existing rights, all land described in section 3(a) is withdrawn from location, entry, and patent under the mining laws of the United States.]

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated such sums as are necessary to carry out this Act.]

SECTION 1. SHORT TITLE.

This Act may be cited as the "Idaho Panhandle National Forest Improvement Act of 2003".

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of Agriculture.

SEC. 3. SALE OR EXCHANGE OF ADMINISTRATIVE SITES.

(a) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any or all right, title, and interest of the United States in and to the following National Forest System land and improvements:

(1) Granite/Reeder Bay, Priest Lake Parcel, T61N, R4E, Boise Principal Meridian, section 17, S½NE¼ (80 acres, more or less).

(2) North South Ski area, T43N, R3W, Boise Principal Meridian, section 13, SE¼SE¼SW¼, S½SW¼SE¼, NE¼SW¼SE¼, and SW¼SE¼SE¼ (50 acres more or less).

(3) Shoshone work camp (including easements for utilities), T50N, R4E, Boise Principal Meridian, section 5, a portion of the S½SE¼ (19 acres, more or less).

(b) DESCRIPTIONS.—The Secretary may modify the descriptions in subsection (a) to correct errors or to make minor adjustments to the parcels in order to facilitate the conveyance of the parcels.

(c) CONSIDERATION.—Consideration for a sale or exchange of land under subsection (a)—

(1) shall be equal to the fair market value of the land; and

(2) may include cash or improved or unimproved land.

(d) APPLICABLE LAW.—Except as otherwise provided in this Act, any sale or exchange of National Forest System land under subsection (a) shall be subject to the laws applicable to the conveyance and acquisition of land for the National Forest System.

(e) VALUATION.—The market value of the land and the improvements to be sold or exchanged under this Act shall be determined by an appraisal that is acceptable to the Secretary and conforms with the Uniform Appraisal Standards for Federal Land Acquisitions.

(f) CASH EQUALIZATION.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept a cash equalization payment in excess of 25 percent of the value of land exchanged under subsection (a).

(g) SOLICITATIONS OF OFFERS.—

(1) IN GENERAL.—The Secretary may solicit offers for the sale or exchange of land under this section on such terms and conditions as the Secretary may prescribe.

(2) REJECTION OF OFFERS.—The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(h) METHODS OF SALE.—The Secretary may sell land under subsection (a) at public or private sale (including at auction), in accordance with any terms, conditions, and procedures that the Secretary determines to be in the best interests of the United States.

SEC. 4. DISPOSITION OF FUNDS.

(a) DEPOSIT OF PROCEEDS.—The Secretary shall deposit the proceeds of a sale or the cash equalization proceeds, if any, from an exchange under section 3(a) in the fund established under Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

(b) USE OF PROCEEDS.—Amounts deposited under subsection (a) shall be available to the Secretary, without further appropriation—

(1) for the acquisition of, construction of, or rehabilitation of existing facilities for, a new ranger station in the Silver Valley portion of the Panhandle National Forest; or

(2) to the extent that the amount of funds deposited exceeds the amount needed for the purpose described in paragraph (1), for the acquisition, construction, or rehabilitation of other facilities in the Panhandle National Forest.

(c) NONDISTRIBUTION OF PROCEEDS.—Proceeds from the sale or exchange of land under this Act shall not be paid or distributed to States or counties under any provision of law, or otherwise treated as money received from a national forest, for purposes of—

(1) the Act of May 23, 1908 (16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (commonly known as the "Weeks Law") (16 U.S.C. 500); or

(3) the Act of March 4, 1913 (16 U.S.C. 501).

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—Land transferred to or otherwise acquired by the Secretary under this Act shall be managed in accordance with—

(1) the Act of March 1, 1911 (commonly known as the "Weeks Law") (16 U.S.C. 480 et seq.); and

(2) other laws relating to the National Forest System.

(b) EXEMPTION FROM PROPERTY MANAGEMENT REGULATIONS.—Part 1955 of title 7, Code of Federal Regulations (or any successor regulation), shall not apply to any actions taken under this Act.

(c) WITHDRAWALS AND REVOCATIONS.—

(1) WITHDRAWAL.—Subject to valid existing rights, all land described in section 3(a) is withdrawn from—

(A) location, entry, and patent under the mining laws; and

(B) the operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) REVOCATION OF PUBLIC LAND ORDERS.—As of the date of this Act, any public land order withdrawing land described in section 3(a) from all forms of appropriation under the public land laws is revoked with respect to any portion of the land conveyed by the Secretary under this section.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 434), as amended, was read the third time and passed.

SANDPOINT LAND AND FACILITIES CONVEYANCE ACT OF 2003

The Senate proceeded to consider the bill (S. 435) to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

S. 435

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sandpoint Land and Facilities Conveyance Act of 2003".

SEC. 2. CONVEYANCE OF SANDPOINT FEDERAL BUILDING AND ADJACENT LAND, SANDPOINT, IDAHO.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Not later than 30 days after the date

of the enactment of this Act, the Administrator of General Services shall transfer to the Secretary of Agriculture, without reimbursement, administrative jurisdiction over the Sandpoint Federal Building and approximately 3.17 acres of land in Sandpoint, Idaho, as depicted on the map entitled "Sandpoint Federal Building," dated September 12, 2002, on file in the Office of the Chief of the Forest Service and the Office of the Supervisor, Idaho National Panhandle Forest, Coeur d'Alene, Idaho.

(b) ASSUMPTION AND REPAYMENT OF DEBT.—As of the date on which administrative jurisdiction of the property is transferred under subsection (a), the Secretary shall assume the obligation of the Administrator of General Services to repay to the Federal Finance Bank the debt incurred with respect to the transferred property. The Secretary may repay the debt using—

(1) the proceeds of the conveyance of the property under this section;

(2) amounts appropriated to the Forest Service for the rental, upkeep, and maintenance of facilities; and

(3) any other unobligated appropriated amounts available to the Secretary.

(c) CONVEYANCE OF PROPERTY.—

(1) CONVEYANCE AUTHORIZED.—The Secretary may convey, by quitclaim deed, all right, title, and interest of the United States in and to the property transferred to the Secretary under subsection (a). The conveyance may be made by sale or by exchange.

(2) SOLICITATIONS OF OFFERS.—The Secretary may solicit offers for the conveyance of the property under this section on such terms and conditions as the Secretary may prescribe. The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(d) CONSIDERATION.—

(1) CONDITIONS OF SALE.—If the property is conveyed under subsection (c) by sale, the purchaser shall pay to the Secretary an amount equal to the fair market value of the property as determined under paragraph (3). At the election of the Secretary, the consideration may be in the form of cash or other consideration, including the construction of administrative facilities for the National Forest System in Bonner County, Idaho.

(2) CONDITIONS OF EXCHANGE.—If the property is conveyed in exchange for construction of administrative facilities, the conveyance shall be subject to—

(A) construction of the administrative facilities in accordance with terms or conditions that the Secretary may prescribe, including final building design and costs;

(B) completion of the administrative facilities in a manner satisfactory to the Secretary;

(C) the condition that the exchange be an equal value exchange, or if the value of the property and the administrative facilities are not equal, as determined under paragraph (3), that the values be equalized in accordance with paragraph (4); and

(D) any requirements of the Secretary that the entity acquiring the property assume any outstanding indebtedness on the property to the Federal Finance Bank.

(3) VALUATION.—The value of the property to be conveyed under subsection (c), and the value of any administrative facilities in exchange for the property, shall be determined by an appraisal that conforms to the Uniform Appraisal Standards for Federal Land Acquisitions and is acceptable to the Secretary.

(4) EQUALIZATION OF VALUES.—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of the property conveyed under subsection (c).